

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

HHE CHOICES HEALTH PLAN, LLC, *et al.*,

Debtors.

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SEAN SOUTHARD, as Plan Administrator of
the Amended Chapter 11 Plan of Liquidation for
Hebrew Hospital Senior Housing, Inc.,

Plaintiff,

-against-

MARY FRANCES FARRETT, BRIAN
PERINO, PETER SANNA, PETER CUTAIA,
ALAN PEARCE, CHARLES GOLDBERGER,
MICHAEL LAUB, MARVIN LIFSON, DONNA
JAKUBOVITZ, EDWARD SCHECTER, LEON
SILVERMAN, and DAVID KERSHNER,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/11/2020

20 Civ. 290 (AT)

ORDER

The Court having been advised that the parties have reached a settlement in principle, ECF No. 37, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within sixty days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within sixty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same sixty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: May 10, 2020
New York, New York

A handwritten signature in black ink, appearing to read 'Analisa Torres', positioned above a horizontal line.

ANALISA TORRES
United States District Judge